

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	: Case No.: 1:23-cv-04033-LJL
Aaron Abadi,	: <b>DECLARATION IN SUPPORT OF</b>
	: <b>MOTION TO DISMISS OF</b>
Plaintiffs,	: <b>DEUTSCHE LUFTHANSA AG,</b>
	: <b>AUSTRIAN AIRLINES AG AND</b>
-against-	: <b>SWISS INTERNATIONAL AIR LINES</b>
	: <b>AG</b>
American Airlines Group, Inc., <i>et al.</i> ,	:
	:
Defendant.	:
	: -----X

I, James Stevens, hereby declare and state as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration.

2. I am employed as Legal Counsel with the Lufthansa Group. As a result of my employment, I am fully familiar with the business operations of the Lufthansa Group, and its affiliated companies.

3. Deutsche Lufthansa AG (“Lufthansa”), is a German public limited company, and is a member of the Lufthansa Group. Lufthansa is the parent corporation Austrian Airlines AG (“Austrian”), and Swiss International Air Lines AG (“Swiss”).

4. I submit this Declaration in support of the motion to dismiss of Lufthansa, Austrian and Swiss.

5. Lufthansa is a corporation organized and existing under the laws of Germany, with its headquarters and principal place of business located in Germany. Austrian is a corporation organized and existing under the laws of Austria, with its headquarters and principal place of business located in Austria. Swiss is a corporation organized and existing under the laws of Switzerland, with its headquarters and principal place of business located in Switzerland.

6. Neither Lufthansa, Austrian nor Swiss has ever maintained a principal place of business in any state in the United States, including New York or Texas.


7. I note that plaintiff has named as a defendant in this litigation an entity known as Lufthansa Systems Americas, Inc. This entity is a separate and distinct legal entity from Lufthansa, and has no involvement in commercial air transportation operations.

8. Attached as Exhibit 29 to the Complaint is an email from Austrian's Special Cases Desk to plaintiff. Austrian's Special Cases Desk is located in Austria, and this email was sent from Austria.

9. Attached as Exhibit 68 to the Complaint are a series of email communications between plaintiff and Swiss' Customer Travel Services. The Swiss Customer Travel Services department is located in Switzerland, and these emails were sent from Switzerland.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 15 January 2024

  
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James Stevens